IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

LA.App..No. 1475 of 2005()

LAR.81/2003 of III ADDL.SUB COURT, ERNAKULAM
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APPELLANT: APPELLANTS/CLAIMANT NOS.2 TO 6 & 8:
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1. A.M. ABIDA, W/O. LATE P.K. KOYA,
PUTHEDATH HOUSE, PONNURUNNI, VYTILLA,
REPRESENTED BY POWER OF ATTORNEY HOLDER,
SINOOB P.K., S/O. LATE P.K. KOYA, -DO- -DO-.

2. MOHAMMED BABU P.K.,
S/O. LATE P.K. KOYA, -DO- -DO-,
REPRESENTED BY POWER OF ATTORNEY HOLDER,
SINOOB P.K., S/O. LATE P.K.KOYA, -DO- -DO-.

3. NAZAR P.K., S/O.LATE P.K.KOYA,
-DO- -DO-,REPRESENTED BY POWER OF ATTORNEY HOLDER
SINOOB P.K., S/O. LATE P.K.KOYA, -DO- -DO-.

4. SHAMNAD P.K., S/O. LATE P.K.KOYA,
-DO- -DO-, REPRESENTED BY POWER OF ATTORNEY HOLDER
SINOOB P.K., S/O. LATE P.K. KOYA, -DO- -DO-.

5. SHIJAS P.K., S/O. LATE P.K. KOYA,
-DO- -DO-, REPRESENTED BY POWER OF ATTORNEY HOLDER
SINOOB P.K., S/O. LATE P.K. KOYA, -DO- -DO-.

6. SINOOB P.K., S/O.LATE P.K. KOYA,
-DO- -DO-.

BY ADV. SRI.M.M.ABDUL AZIZ (SR.)
SRI.M.A.ABDUL HAKHIM
SRI.JYOTHISH.J.KALLINGAL

RESPONDENTS: RESPONDENTS:
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1. STATE OF KERALA,
   REPRESENTED BY SPECIAL TAHSILDAR (LA) NO.III,
   VYTTILA, ERNAKULAM.

2. THE MANAGING DIRECTOR,
   ROADS AND BRIDGES DEVELOPMENT CORPORATION OF
   KERALA LTD., PALARIVATTOM, KOCHI.

3. AJEESH P.K., D/O. P.K. KOYA,
   PUTHDATHATH HOUSE, NOW RESIDING AT C/O. SIDDIK,
   MANATH HOUSE, THRIKKAKARA P.O., KAKKANAD.

GOVT.PLEADER SMT.K.R.DEEPA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

L.A.A.No.1475 of 2005

Dated 29th May, 2007.

J U D G M E N T

Kurian Joseph, J.

C.M.Appln.No.2011/05 : Delay condoned.

This is an appeal against the judgment and decree in L.A.R.No.81/2003 on the file of the III Additional Sub Court, Ernakulam. It is a common judgment in L.A.R.Nos.80, 81 and 93 of 2003. The acquisition was for the purpose of construction of Railway over bridge at Punnurunni. We had an occasion to consider the appeal, L.A.A.No.1474/05, filed against L.A.R.No.80/03, wherein it was held that the claimant in that case will be entitled to the market value at the rate of Rs.1,85,000/- per cent with statutory benefits. For parity of reasons, this appeal is also disposed of making it clear that the appellants/claimants herein also will be entitled to the market value at the rate of Rs.1,85,000/- per cent, along with statutory benefits. A copy of the judgment in L.A.A.No.1474/05 will be

appended to this judgment.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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KURIAN JOSEPH &

T.R.RAMACHANDRAN NAIR, JJ

L.A.A. NO. OF 2004

J U D G M E N T

Dated 29th May, 2007.